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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

YUYAO TANGHONG INTERNATIONAL
TRADE CO., LTD., a Chinese corporate entity,

Plaintiff,

vs.

FOHSE, INC., a Nevada corporation,

Defendant.

Case No.: 2:23-cv-01789-APG-BNW

**STIPULATION AND ORDER TO
AMEND DISCOVERY SCHEDULING
ORDER**

(Third Amended Discovery Order Request)

Plaintiff Yuyao Tanghong International Trade Co., Ltd. ("Plaintiff") and Defendant Fohse, Inc. ("Defendant") [collectively, the "Parties"] through their respective undersigned counsel, hereby stipulate and respectfully seek the Court's permission to amend the Discovery Scheduling Order [Dkt. 27] to account for the stay of this matter for mediation and continued mediation [Dkts. 34, 37, 42, and 45] such that the present fact discovery will be extended from December 3, 2024 to **July 14, 2025**, and all remaining deadlines shall be amended to conform to the deadlines of the Local Patent Rules as shown in LPR 1-22 and set forth herein.

Pursuant to Local Rule 26-3, the Parties provide the following information.

(a) A statement specifying the discovery completed.

1 This is a complex patent infringement case regarding allegations of infringement of patents
 2 for commercial LED lighting fixtures used the horticulture industry between international
 3 competitors with witnesses residing or frequently travelling to and from China and several states.
 4 In addition to the discovery set forth in the June 25, 2024, Order [Dkt. 30] specifying the discovery
 5 completed as of that order, the Parties have engaged in the following additional discovery:

- 6 • The Parties exchanged Preliminary Claim Constructions and Extrinsic Evidence
 7 pursuant to LPR 1-14.

8 **(b) A specific description of the discovery that remains to be completed.**

9 The following discovery remains to be completed by the Parties:

- 10 • Defendant is preparing supplemental responses to Plaintiff's discovery requests
 11 covered by the Protective Order (ECF 24).
- 12 • The Parties will file joint claim construction and prehearing statements pursuant to LPR
 13 1-15 and brief their positions regarding the same pursuant to LPR 1-16.
- 14 • The Court may hold a Claim Construction Hearing and issue an Order within 60 days
 15 thereafter pursuant to LPR 1-17.
- 16 • The Parties may thereafter amend their contentions pursuant to LPR 1-18a.
- 17 • Defendant expects to make further document production in response to Plaintiff's
 18 requests under the entered Protective Order.
- 19 • The Parties intend to take depositions of respective party representatives, officers, etc.,
 20 and the inventors of the patent-in-suit prior to the close of fact discovery.
- 21 • The Parties will propound requests for responses to interrogatories, admissions and
 22 documents within the remaining fact discovery period.
- 23 • The Parties will produce affirmative and rebuttal expert designations and reports after
 24 the entry by the Court of a claim construction order.
- 25 • The Parties may thereafter take depositions of their respective experts.

(c) The reasons why the deadline was not satisfied, or the remaining discovery was not completed withing the time limits set by the discovery plan.

Less than three weeks after the Court entered the current scheduling order [Dkt. 27] the Parties stipulated to, and the Court ordered a stay of the case in favor of mediation [Dkt. 34]. The Parties scheduled and prepared for a mediation with mediator Neil A. Smith. The Court ordered a further stay [Dkt. 37] to accommodate the scheduled date of the mediation, which was held on December 10, 2024. During the mediation, factual and legal questions arose that the Parties agreed to review and address at a continued mediation. The Court granted a further stay to accommodate the continued mediation scheduled for January 14, 2025. [Dkt. 42]. Due to an emergency for Defendant's corporate representative, the mediation had to be cancelled and rescheduled. The Court granted a further stay to accommodate the rescheduling of the continued mediation was held February 8, 2025. [Dkt. 45]. The Parties were unable to reach settlement at the continued mediation.

(d) A proposed schedule for completing all remaining discovery.

The Parties propose conforming the remaining discovery in this case to that shown in LPR 1-22 as set forth in the following "Third Amended Discovery Schedule." The dates in brackets identify contingent deadlines pursuant to the time provided by the respective Local Patent Rule, and the "Count" sets forth the cumulative number of days from the initial scheduling conference provided by the Local Patent Rules in support of extended discovery deadlines.

THIRD AMENDED DISCOVERY SCHEDULE

	Description	Date	Count ¹
1	Submit Joint Claim Construction and Prehearing Statement (LPR 1-15)	March 7, 2025.	14
2	Opening Claim Construction Brief (LPR 1-16)	March 28, 2025. (21 days after LPR 1-15 submission)	35

¹ Total number of days after the end of the Stay for Mediation.

3	Response to Claim Construction Brief (LPR 1-16)	April 18, 2025. (21 days after Opening Brief)	56
4	Reply Claim Construction Brief and Matter Submitted to Court for Hearing (LPR 1-16)	April 25, 2025. (7 days after Response Brief)	63
5	Claim Construction Tutorial and Hearing (LPR 1-17)	_____, 2025. [06/24/25] (within 60 days after the Reply brief is filed, the court should complete its hearing)	123
6	Fact Discovery Cut-off	July 24, 2025.	153
7	Claim Construction Order (LPR 1-17)	_____, 2025. [8/25/25] (should issue within 60 days after the hearing)	185
8	Post-Claim Construction Settlement Conference (LPR 1-19)	_____, 2025. [09/24/2025] (30 days after Claim Construction Order)	215
9	Disclosure of amended contentions under LPR 1-18a and opinion of counsel for defense under LPR 1-18b	_____, 2025. [09/24/2025] (30 days after Claim Construction Order)	215
10	Expert Designations	_____, 2025. [10/24/25] (60 days after Claim Construction Order)	245
11	Rebuttal Expert Designations	_____, 2025. [11/24/25] (30 days after Expert Designations)	276
12	Expert Discovery Cut-off	_____, 2025. [12/24/25] (30 days after Rebuttal Expert Designations)	306
13	Dispositive Motion Deadline	_____, 2026. [01/23/26] (30 days after close of Expert Discovery)	336

The Parties respectfully submit that good cause exists to amend the applicable Discovery Scheduling Order [Dkt. 27] as set forth in the above Third Amended Discovery Schedule for the reasons set forth herein above.

WHEREFORE, the Parties hereby respectfully request that the Court enter an order amending the Discovery Scheduling Order [Dkt. 27] in accordance with the Third Amended Discovery Schedule set forth herein.

DATED: January 21, 2025

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IT IS SO ORDERED:



U.S. MAGISTRATE JUDGE

DATED: 2/25/2025